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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------------|-------------|----------------------|---------------------|------------------|
| 10/042,231 | 01/11/2002 | Masaki Nakano | 03500.016103 | 4817 |
| 5514 | 7590 | 04/21/2005 | EXAMINER | |
| FITZPATRICK CELLA HARPER & SCINTO | | | BLACKMAN, ANTHONY J | |
| 30 ROCKEFELLER PLAZA | | | ART UNIT | |
| NEW YORK, NY 10112 | | | PAPER NUMBER | |
| | | | 2676 | |

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,231

Applicant(s)

NAKANO, MASAKI

Examiner

ANTHONY J BLACKMAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 15-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/21/05 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by SUGA, US Patent No. 6,791,624.

As per claim 1, examiner interprets SUGA to disclose a television receiver and an image quality adjusting method... [for] brightness, contrast, and hue of an image to be

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displayed” see col 1, lines 1-14, with an image quality adjusting unit (fig 1, element 106), in addition to the teaching that “Other Embodiments”, see col 16, lines 14-27, of “the present invention may be applied to a system constituted by a plurality of devices”, i.e., host computer, interface, reader and printer or to an apparatus that reads upon the following claim features and limitations of the invention;

“An image processing apparatus comprising: multiscreen synthesis means for composing one screen by arranging plural images in the one screen (adjustment window means shown in fig 10 and 11- see col 8, lines 25-44 and col 9, lines 13-18 and col 11, lines 22-27), image quality adjustment value storage means for storing image quality adjustment values for plural kinds of image quality adjustment processes (fig 1, element 110 stores predetermined factory set-values shown in fig 8 and fig 9 and see at least col 9, line 55-col 10, line 13);

image quality adjustment process means for executing the image quality adjustment processes for plural images on the basis of the image quality adjustment values stored in said image quality adjustment value storage means (the combination of fig 108-the Operation Input Unit and fig 109-the System Control Unit explained at col 9, lines 37-49 and col 10, lines 13 and 17-23 respectively for determining and controlling the adjustment processing means); and control means for converting an input image into a first image to which an image quality adjustment process is executed by said image quality adjustment process means (the combination of fig 108-the Operation Input Unit and fig 109-the System Control Unit explained at col 9, lines 37-49 and col 10, lines 13 and 17-23 respectively for determining and controlling the adjustment

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processing means and please read col 4, lines 34-47) on the basis of an image quality adjustment value which is determined in advance/predetermined default before performing an image quality adjustment operation stored in said image quality adjustment value storage means (col 9, lines 55-65), and similarly for converting the input image into a second image to which an image quality adjustment process is executed by said image quality adjustment process means on the basis of an image quality adjustment value for newly performing an adjustment operation (col 9, lines 37-42), and then for displaying the converted first and second images on one screen with an arranged state by said multiscreen synthesis means (col 4, lines 34-47, col 8, line 64-col 9, line 3 and col 11, lines 22-27).

4. As per claim 15, SUGA meets limitations of claim 1, including, further comprising image reduction means for reducing the input image, wherein said multiscreen synthesis means composes the one screen by arranging the plural images reduced by said image reduction means (col 4, lines 34-47, col 7, lines 47-61, col 8, line 45-col 9, line 4 for reduction or trimming means).

5. As per claim 16, SUGA meets limitations of claim 1, including, further comprising trimming means for trimming a part of the input image, wherein said multiscreen synthesis means composes the one screen by arranging the plural images trimmed by said trimming means (col 4, lines 34-47, col 7, lines 47-61, col 8, line 45-col 9, line 4 for reduction or trimming means).

6. As per claim 17, SUGA meets limitations of claim 1, including, wherein the image quality adjustment value which is determined in advance before performing the image

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quality adjustment operation is a value which was previously set at a time of manufacturing of said apparatus (col 9, lines 56-65).

7. As per claim 19, claim 19 is substantially similar to claim 1.
8. As per claim 20, claim 20 is substantially similar to claim 1.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over SUGA, US Patent No. 6,791,624 in view of MATSUZAKI et al, US Patent No. 6,492,982.

As per claim 18, SUGA meets limitations of claim 1, including, wherein the image quality adjustment values including at least brightness, contrast, sharpness and hue (see figure 8 and fig 9), however, does not expressly teach each of the following values; each of lightness, contrast, chromaticity, hue, RGB (red, green and blue) balance, color temperature, gamma characteristics, and sharpness. MATSUZAKI et al disclose the image adjustment values lacking in SUGA (see col 11, lines 26-45). It would have been obvious to one skilled in the art at the time of the invention to use display controller 115 image adjustment means of MATSUZAKI et al to modify the image adjusting quality unit of SUGA because the addition of MATSUZAKI et al modifies the invention of SUGA providing additional image adjustment values.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY J BLACKMAN whose telephone number is 571-272-7779. The examiner can normally be reached on FLEX SCHEDULE.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 703-308-6829. The fax phone number for the organization where this application or proceeding is assigned is 571-272-7778.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANTHONY J BLACKMAN
Examiner
Art Unit 2676



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